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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 NAXOS, LLC,

11 Plaintiff,

12 v.

13 AMERICAN FAMILY  
14 INSURANCE COMPANY,

15 Defendant.

CASE NO. C18-1287JLR

ORDER DENYING MOTION TO  
CONTINUE TRIAL

16 Before the court is Plaintiff Naxos, LLC's ("Naxos") motion to modify the court's  
17 scheduling order. (Mot. (Dkt. # 19).) For the reasons stated below, the court DENIES  
18 the motion.

19 This case was removed to this court on August 30, 2018. (*See* Not. of Rem. (Dkt.  
20 # 1).) On December 4, 2018, the court scheduled the case for trial on March 9, 2020.  
21 (*See* Am. Sched. Order (Dkt. # 14) at 1.)

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1 Naxos requests a 120-day continuance of the trial date. (Mot. at 4.) Defendant  
2 American Family Insurance Company opposes the request. (*See generally* Resp. (Dkt.  
3 # 22).) In support of its motion, Naxos represents it has added the Keller Rohrback law  
4 firm on July 12, 2019, and that attorney Birk has limited availability. (*See* Mot. at 2-3.)  
5 Naxos also represents that it needs more time to conduct discovery. (*Id.* at 3.)

6 Absent a showing of good cause, the court does not grant “short” trial  
7 continuances. *See* Fed. R. Civ. P. 16(b)(4); (Am. Sched. Order at 2 (“The court will alter  
8 these dates only upon good cause shown . . .”).) Representations that an attorney has  
9 limited availability and that a party needs more time to complete discovery do not  
10 establish good cause. (Am. Sched. Order at 2 (“[F]ailure to complete discovery within  
11 the time allowed is not recognized as good cause.”).) The court has a full trial calendar  
12 and will not imperil the trial dates of other parties, especially when unavailability should  
13 have been foreseen. Accordingly, the court DENIES Naxos’s motion. (Dkt. # 19.) The  
14 court also notes with some displeasure that it has warned both law firms involved in this  
15 motion that the court does not routinely grant “short continuances.”

16 Nevertheless, the court will consider moving the parties’ trial date to the end of the  
17 court’s trial calendar. If the parties wish to seek this relief, they should file a new  
18 stipulated motion to that effect. The parties should be aware that the court is presently  
19 scheduling trials in early 2021. If the court moves this matter to the end of its trial

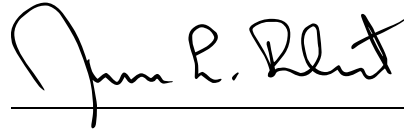
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1 calendar, the court will also issue a new scheduling order with respect to all remaining  
2 pretrial deadlines.

3 Dated this 21st day of August, 2019.

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6 JAMES L. ROBART  
7 United States District Judge  
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